



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 30, 2019

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on April 30th, 2019:

H.B. 2036 dual enrollment; reported information; date (Cook)
H.B. 2080 civil rights restoration; application; procedures (J.Allen)
H.B. 2122 do-not-resuscitate orders; minors; parental consent (Barto)
H.B. 2271 public lands day; holiday (Dunn)
H.B. 2285 pharmacy benefit managers; pharmacy benefits (Cobb)
H.B. 2366 motor vehicle accidents; restricted license (Toma)
H.B. 2432 state treasurer's office; funds; consolidation (Cobb)
H.B. 2477 adjudication statutes; unconstitutional provisions; repeal (Bowers)
H.B. 2550 regulation; kratom products (Rivero)
H.B. 2606 share the road special plates (Shope)
S.B. 1016 ASRS; ineligible contributions; unfunded liability (Livingston)
S.B. 1177 home school district; special education (S. Allen)
S.B. 1442 state fleet; neighborhood electric vehicles (Pratt)
S.B. 1453 affordable homeownership special plate (Rios)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed
FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 161
SENATE BILL 1453

AN ACT

AMENDING SECTIONS 28-2351 AND 28-2403, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2463; AMENDING SECTION 28-6501, ARIZONA REVISED STATUTES; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 298, SECTION 7, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6993, ARIZONA REVISED STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-2351, Arizona Revised Statutes, is amended to
3 read:

4 28-2351. License plate provided; design

5 A. Notwithstanding any other law, the department shall provide to
6 every owner one license plate for each vehicle registered. At the request
7 of the owner and on payment of a fee in an amount prescribed by the
8 director by rule, the department shall provide one additional license
9 plate for a vehicle for which a special plate is requested pursuant to
10 this chapter.

11 B. The license plate shall display the number assigned to the
12 vehicle and to the owner of the vehicle and the name of this state, which
13 may be abbreviated. The director shall coat the license plate with a
14 reflective material that is consistent with the determination of the
15 department regarding the color and design of license plates and special
16 plates. The director shall design the license plate and the letters and
17 numerals on the license plate to be of sufficient size to be plainly
18 readable during daylight from a distance of one hundred feet. In addition
19 to the standard license plate issued for a trailer before August 12, 2005,
20 the director shall issue a license plate for trailers that has a design
21 that is similar to the standard size license plate for trailers but that
22 is the same size as the license plate for motorcycles. The trailer owner
23 shall notify the department which size license plate the owner wants for
24 the trailer.

25 C. Notwithstanding any other law, the department shall not contract
26 with a nongovernmental entity to purchase or secure reflective material
27 for the plates issued by the department unless the department has made a
28 reasonable effort to secure qualified bids or proposals from as many
29 individual responsible respondents as possible.

30 D. The department shall determine the color and design of the
31 license plate. All other plates issued by the department, except the
32 plates issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414,
33 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463, 28-2472, 28-2473,
34 28-2474, 28-2475 and 28-4533 and article 14 of this chapter, shall be the
35 same color as and similar in design to the license plate as determined by
36 the department.

37 E. A passenger motor vehicle that is rented without a driver shall
38 receive the same type of license plate as is issued for a private
39 passenger motor vehicle.

40 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to
41 read:

42 28-2403. Special plates; transfers; violation; classification

43 A. Except as otherwise provided in this article, the department
44 shall issue or renew special plates in lieu of the regular license plates
45 pursuant to the following conditions and procedures and only if the

1 requirements prescribed by this article for the requested special plates
2 are met:

3 1. Except as provided in sections 28-2416 and 28-2416.01, a person
4 who is the registered owner of a vehicle registered with the department or
5 who applies for an original or renewal registration of a vehicle may
6 submit to the department a completed application form as prescribed by the
7 department with the fee prescribed by section 28-2402 for special plates
8 in addition to the registration fee prescribed by section 28-2003.

9 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
10 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463,
11 28-2472, 28-2473, 28-2474 and 28-2475 and article 14 of this chapter, the
12 special plates shall be the same color as and similar to the design of the
13 regular license plates that is determined by the department.

14 3. Except as provided in section 28-2416, the department shall
15 issue special plates only to the owner or lessee of a vehicle that is
16 currently registered, including any vehicle that has a declared gross
17 weight, as defined in section 28-5431, of twenty-six thousand pounds or
18 less.

19 4. Except as provided in sections 28-2416 and 28-2416.01, the
20 department shall charge the fee prescribed by section 28-2402 for each
21 annual renewal of special plates in addition to the registration fee
22 prescribed by section 28-2003.

23 B. Except as provided in sections 28-2416 and 28-2416.01, on
24 notification to the department and on payment of the transfer fee
25 prescribed by section 28-2402, a person who is issued special plates may
26 transfer the special plates to another vehicle the person owns or leases.
27 Persons who are issued special plates for hearing impaired persons
28 pursuant to section 28-2408 and international symbol of access special
29 plates pursuant to section 28-2409 are exempt from the transfer fee. If a
30 person who is issued special plates sells, trades or otherwise releases
31 ownership of the vehicle on which the plates have been displayed, the
32 person shall immediately report the transfer of the plates to the
33 department or the person shall surrender the plates to the department as
34 prescribed by the director. It is unlawful for a person to whom the
35 plates have been issued to knowingly permit them to be displayed on a
36 vehicle except the vehicle authorized by the department.

37 C. The special plates shall be affixed to the vehicle for which
38 registration is sought in lieu of the regular license plates.

39 D. A person is guilty of a class 3 misdemeanor who:

40 1. Violates subsection B of this section.

41 2. Fraudulently gives false or fictitious information in the
42 application for or renewal of special plates or placards issued pursuant
43 to this article.

1 3. Conceals a material fact or otherwise commits fraud in the
2 application for or renewal of special plates or placards issued pursuant
3 to this article.

4 Sec. 3. Title 28, chapter 7, article 12, Arizona Revised Statutes,
5 is amended by adding section 28-2463, to read:

6 28-2463. Affordable homeownership special plates; fund

7 A. IF, BY DECEMBER 31, 2019, A PERSON PAYS \$32,000 TO THE
8 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
9 ISSUE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATES. THE PERSON THAT PROVIDES
10 THE \$32,000 SHALL DESIGN THE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATES. THE
11 DESIGN AND COLOR OF THE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATES ARE
12 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A
13 REQUEST FOR AFFORDABLE HOMEOWNERSHIP SPECIAL PLATES TO BE COMBINED WITH A
14 REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A
15 COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
16 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO
17 THE FEES REQUIRED FOR THE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATES.

18 B. OF THE \$25 FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL
19 SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, \$8 IS A SPECIAL PLATE
20 ADMINISTRATION FEE AND \$17 IS AN ANNUAL DONATION.

21 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
22 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
23 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
24 THIS SECTION IN THE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATE FUND
25 ESTABLISHED BY THIS SECTION.

26 D. THE AFFORDABLE HOMEOWNERSHIP SPECIAL PLATE FUND IS ESTABLISHED
27 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR
28 SHALL ADMINISTER THE FUND. THE FIRST \$32,000 IN THE FUND SHALL BE
29 REIMBURSED TO THE PERSON THAT PAID THE IMPLEMENTATION FEE TO THE
30 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN
31 PERCENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE
32 COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
33 APPROPRIATED.

34 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,
35 EXCLUDING ADMINISTRATIVE FEES, TO A CHARITABLE ORGANIZATION THAT IS
36 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
37 CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT MEETS ALL OF THE FOLLOWING:

- 38 1. SEEKS TO BRING PEOPLE TOGETHER TO BUILD HOMES, COMMUNITIES AND
39 HOPE.
40 2. FOCUSES ON PROVIDING SHELTER.
41 3. ADVOCATES FOR AFFORDABLE HOUSING.
42 4. PROMOTES DIGNITY AND HOPE.
43 5. SUPPORTS SUSTAINABLE AND TRANSFORMATIVE DEVELOPMENT.

1 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST
2 AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES
3 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

4 Sec. 4. Section 28-6501, Arizona Revised Statutes, is amended to
5 read:

6 28-6501. Definition of highway user revenues

7 In this article, unless the context otherwise requires or except as
8 otherwise provided by statute, "highway user revenues" means all monies
9 received in this state from licenses, taxes, penalties, interest and fees
10 authorized by the following:

11 1. Chapters 2, 7, 8 and 15 of this title, except for:

12 (a) The special plate administration fees prescribed in sections
13 28-2404, 28-2407, 28-2412 through ~~28-2462~~ 28-2463 and 28-2514.

14 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
15 through 28-2415, 28-2417 through ~~28-2462~~ 28-2463, 28-2473, 28-2474 and
16 28-2475.

17 2. Section 28-1177.

18 3. Chapters 10 and 11 of this title.

19 4. Chapter 16, articles 1, 2 and 4 of this title, except as
20 provided in sections 28-5926 and 28-5927.

21 Sec. 5. Section 28-6991, Arizona Revised Statutes, as amended by
22 Laws 2018, chapter 248, section 1, chapter 307, section 7 and chapter 308,
23 section 3, is amended to read:

24 28-6991. State highway fund; sources

25 The state highway fund is established that consists of:

26 1. Monies distributed from the Arizona highway user revenue fund
27 pursuant to chapter 18 of this title.

28 2. Monies appropriated by the legislature.

29 3. Monies received from donations for the construction, improvement
30 or maintenance of state highways or bridges. These monies shall be
31 credited to a special account and shall be spent only for the purpose
32 indicated by the donor.

33 4. Monies received from counties or cities under cooperative
34 agreements, including proceeds from bond issues. The state treasurer
35 shall deposit these monies to the credit of the fund in a special account
36 on delivery to the treasurer of a concise written agreement between the
37 department and the county or city stating the purposes for which the
38 monies are surrendered by the county or city, and these monies shall be
39 spent only as stated in the agreement.

40 5. Monies received from the United States under an act of Congress
41 to provide aid for the construction of rural post roads, but monies
42 received on projects for which the monies necessary to be provided by this
43 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
44 this section shall be allotted by the department and deposited by the
45 state treasurer in the special account within the fund established for

1 each project. On completion of the project, on the satisfaction and
2 discharge in full of all obligations of any kind created and on request of
3 the department, the treasurer shall transfer the unexpended balance in the
4 special account for the project into the state highway fund, and the
5 unexpended balance and any further federal aid thereafter received on
6 account of the project may be spent under the general provisions of this
7 title.

8 6. Monies in the custody of an officer or agent of this state from
9 any source that is to be used for the construction, improvement or
10 maintenance of state highways or bridges.

11 7. Monies deposited in the state general fund and arising from the
12 disposal of state personal property belonging to the department.

13 8. Receipts from the sale or disposal of any or all other property
14 held by the department and purchased with state highway monies.

15 9. Monies generated pursuant to section 28-410.

16 10. Monies distributed pursuant to section 28-5808, subsection B,
17 paragraph 2, subdivision (d).

18 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
19 28-3003.

20 12. Except as provided in section 28-5101, the following monies:

21 (a) Monies deposited pursuant to section 28-2206 and section
22 28-5808, subsection B, paragraph 2, subdivision (e).

23 (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of
24 each title fee collected pursuant to section 28-2003.

25 (c) ~~Two dollars~~ \$2 of each late registration penalty collected by
26 the director pursuant to section 28-2162.

27 (d) The air quality compliance fee collected pursuant to section
28 49-542.

29 (e) The special plate administration fees collected pursuant to
30 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
31 through ~~28-2462~~ 28-2463 and 28-2514.

32 (f) Monies collected pursuant to sections 28-372, 28-2155 and
33 28-2156 if the director is the registering officer.

34 13. Monies deposited pursuant to chapter 5, article 5 of this
35 title.

36 14. Donations received pursuant to section 28-2269.

37 15. Dealer and registration monies collected pursuant to section
38 28-4304.

39 16. Abandoned vehicle administration monies deposited pursuant to
40 section 28-4804.

41 17. Monies deposited pursuant to section 28-710, subsection D,
42 paragraph 2.

43 18. Monies deposited pursuant to section 28-2065.

44 19. Monies deposited pursuant to section 28-7311.

45 20. Monies deposited pursuant to section 28-7059.

- 1 21. Monies deposited pursuant to section 28-1105.
- 2 22. Monies deposited pursuant to section 28-2448, subsection D.
- 3 23. Monies deposited pursuant to section 28-3415.
- 4 24. Monies deposited pursuant to section 28-3002, subsection A,
- 5 paragraph 14.
- 6 25. Monies deposited pursuant to section 28-7316.
- 7 26. Monies deposited pursuant to section 28-4302.
- 8 27. Monies deposited pursuant to section 28-3416.
- 9 28. Monies deposited pursuant to section 28-4504.
- 10 Sec. 6. Section 28-6991, Arizona Revised Statutes, as amended by
- 11 Laws 2018, chapter 248, section 1, chapter 298, section 7, chapter 307,
- 12 section 7 and chapter 308, section 3, is amended to read:
- 13 28-6991. State highway fund; sources
- 14 The state highway fund is established that consists of:
- 15 1. Monies distributed from the Arizona highway user revenue fund
- 16 pursuant to chapter 18 of this title.
- 17 2. Monies appropriated by the legislature.
- 18 3. Monies received from donations for the construction, improvement
- 19 or maintenance of state highways or bridges. These monies shall be
- 20 credited to a special account and shall be spent only for the purpose
- 21 indicated by the donor.
- 22 4. Monies received from counties or cities under cooperative
- 23 agreements, including proceeds from bond issues. The state treasurer
- 24 shall deposit these monies to the credit of the fund in a special account
- 25 on delivery to the treasurer of a concise written agreement between the
- 26 department and the county or city stating the purposes for which the
- 27 monies are surrendered by the county or city, and these monies shall be
- 28 spent only as stated in the agreement.
- 29 5. Monies received from the United States under an act of Congress
- 30 to provide aid for the construction of rural post roads, but monies
- 31 received on projects for which the monies necessary to be provided by this
- 32 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
- 33 this section shall be allotted by the department and deposited by the
- 34 state treasurer in the special account within the fund established for
- 35 each project. On completion of the project, on the satisfaction and
- 36 discharge in full of all obligations of any kind created and on request of
- 37 the department, the treasurer shall transfer the unexpended balance in the
- 38 special account for the project into the state highway fund, and the
- 39 unexpended balance and any further federal aid thereafter received on
- 40 account of the project may be spent under the general provisions of this
- 41 title.
- 42 6. Monies in the custody of an officer or agent of this state from
- 43 any source that is to be used for the construction, improvement or
- 44 maintenance of state highways or bridges.

1 7. Monies deposited in the state general fund and arising from the
2 disposal of state personal property belonging to the department.

3 8. Receipts from the sale or disposal of any or all other property
4 held by the department and purchased with state highway monies.

5 9. Monies generated pursuant to section 28-410.

6 10. Monies distributed pursuant to section 28-5808, subsection B,
7 paragraph 2, subdivision (d).

8 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
9 28-3003.

10 12. Except as provided in section 28-5101, the following monies:

11 (a) Monies deposited pursuant to section 28-2206 and section
12 28-5808, subsection B, paragraph 2, subdivision (e).

13 (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of
14 each title fee collected pursuant to section 28-2003.

15 (c) ~~Two dollars~~ \$2 of each late registration penalty collected by
16 the director pursuant to section 28-2162.

17 (d) The air quality compliance fee collected pursuant to section
18 49-542.

19 (e) The special plate administration fees collected pursuant to
20 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
21 through ~~28-2462~~ 28-2463 and 28-2514.

22 (f) Monies collected pursuant to sections 28-372, 28-2155 and
23 28-2156 if the director is the registering officer.

24 13. Monies deposited pursuant to chapter 5, article 5 of this
25 title.

26 14. Donations received pursuant to section 28-2269.

27 15. Dealer and registration monies collected pursuant to section
28 28-4304.

29 16. Abandoned vehicle administration monies deposited pursuant to
30 section 28-4804.

31 17. Monies deposited pursuant to section 28-710, subsection D,
32 paragraph 2.

33 18. Monies deposited pursuant to section 28-2065.

34 19. Monies deposited pursuant to section 28-7311.

35 20. Monies deposited pursuant to section 28-7059.

36 21. Monies deposited pursuant to section 28-1105.

37 22. Monies deposited pursuant to section 28-2448, subsection D.

38 23. Monies deposited pursuant to section 28-3415.

39 24. Monies deposited pursuant to section 28-3002, subsection A,
40 paragraph 14.

41 25. Monies deposited pursuant to section 28-7316.

42 26. Monies deposited pursuant to section 28-4302.

43 27. Monies deposited pursuant to section 28-3416.

44 28. Monies deposited pursuant to section 28-4504.

45 29. Monies deposited pursuant to section 28-2098.

1 Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to
2 read:

3 28-6993. State highway fund; authorized uses

4 A. Except as provided in subsection B of this section and section
5 28-6538, the state highway fund shall be used for any of the following
6 purposes in strict conformity with and subject to the budget as provided
7 by this section and by sections 28-6997 through 28-7003:

8 1. To pay salaries, wages, necessary travel expenses and other
9 expenses of officers and employees of the department and the incidental
10 office expenses, including telegraph, telephone, postal and express
11 charges and printing, stationery and advertising expenses.

12 2. To pay for both:

13 (a) Equipment, supplies, machines, tools, department offices and
14 laboratories established by the department.

15 (b) The construction and repair of buildings or yards of the
16 department.

17 3. To pay the cost of both:

18 (a) Engineering, construction, improvement and maintenance of state
19 highways and parts of highways forming state routes.

20 (b) Highways under cooperative agreements with the United States
21 that are entered into pursuant to this chapter and an act of Congress
22 providing for the construction of rural post roads.

23 4. To pay land damages incurred by reason of establishing, opening,
24 altering, relocating, widening or abandoning portions of a state route or
25 state highway.

26 5. To reimburse the department revolving account.

27 6. To pay premiums on authorized indemnity bonds and on
28 compensation insurance under the workers' compensation act.

29 7. To defray lawful expenses and costs required to administer and
30 carry out the intent, purposes and provisions of this title, including
31 repayment of obligations entered into pursuant to this title, payment of
32 interest on obligations entered into pursuant to this title, repayment of
33 loans and other financial assistance, including repayment of advances and
34 interest on advances made to the department pursuant to section 28-7677,
35 and payment of all other obligations and expenses of the board and
36 department pursuant to chapter 21 of this title.

37 8. To pay lawful bills and charges incurred by the state engineer.

38 9. To acquire, construct or improve entry roads to state parks or
39 roads within state parks.

40 10. To acquire, construct or improve entry roads to state prisons.

41 11. To pay the cost of relocating a utility facility pursuant to
42 section 28-7156.

43 12. For the purposes provided in subsections C, D and E of this
44 section and sections 28-1143, 28-2353 and 28-3003.

1 13. To pay the cost of issuing an Arizona centennial special plate
2 pursuant to section 28-2448.

3 B. For each fiscal year, the department of transportation shall
4 allocate and transfer monies in the state highway fund to the department
5 of public safety for funding a portion of highway patrol costs in eight
6 installments in each of the first eight months of a fiscal year that do
7 not exceed ~~ten million dollars~~ \$10,000,000.

8 C. Subject to legislative appropriation, the department may use the
9 monies in the state highway fund as prescribed in section 28-6991,
10 paragraph 12 to carry out the duties imposed by this title for
11 registration or titling of vehicles, to operate joint title, registration
12 and driver licensing offices, to cover the administrative costs of issuing
13 the air quality compliance sticker, modifying the year validating tab and
14 issuing the windshield sticker and to cover expenses and costs in issuing
15 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through
16 ~~28-2462~~ 28-2463 and 28-2514.

17 D. The department shall use monies deposited in the state highway
18 fund pursuant to chapter 5, article 5 of this title only as prescribed by
19 that article.

20 E. Monies deposited in the state highway fund pursuant to section
21 28-2269 shall be used only as prescribed by that section.

22 F. Monies deposited in the state highway fund pursuant to section
23 28-710, subsection D, paragraph 2 shall only be used for state highway
24 work zone traffic control devices.

25 G. The department may exchange monies distributed to the state
26 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for
27 local government surface transportation program federal monies
28 suballocated to councils of government and metropolitan planning
29 organizations if the local government scheduled to receive the federal
30 monies concurs. An exchange of state highway fund monies pursuant to this
31 subsection shall be in an amount that is at least equal to ninety percent
32 of the federal obligation authority that exists in the project for which
33 the exchange is proposed.

34 H. The department shall use monies deposited in the state highway
35 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision
36 (a) only for a transportation facility that is located within twenty
37 drivable miles of the international port of entry and shall spend the
38 monies proportionally based on the amount of total monies collected
39 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).
40 For the purposes of this subsection, "transportation facility" means a
41 highway or a state route or a county, city or town road that is used by a
42 commercial vehicle or a commercial vehicle combination for which an axle
43 fee is paid pursuant to section 28-5474.

1 Sec. 8. Effective date

2 Except as provided in section 9 of this act, this act is effective
3 from and after September 30, 2019.

4 Sec. 9. Conditional enactment

5 Section 28-6991, Arizona Revised Statutes, as amended by Laws 2018,
6 chapter 248, section 1, chapter 298, section 7, chapter 307, section 7 and
7 chapter 308, section 3 and this act, becomes effective on the date
8 prescribed by Laws 2018, chapter 298, section 12 but only on the
9 occurrence of the condition prescribed by Laws 2018, chapter 298,
10 section 12.

APPROVED BY THE GOVERNOR APRIL 30, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2019.

Passed the House April 23, 2019,

by the following vote: 37 Ayes,

22 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 25, 2019,

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24th day of April, 2019,

at 11:37 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 30th day of

April, 2019,

at 4:56 o'clock P M.

[Signature]
Governor of Arizona

S.B. 1453

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of April, 2019,

at 5:45 o'clock P M.

[Signature]
Secretary of State